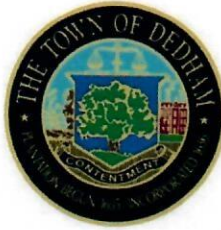


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DEDHAM TOWN HALL
26 BRYANT STREET
DEDHAM, MA 02026-4458
PHONE 781-751-9242
FAX 781-751-9225

SUSAN WEBSTER
ADMINISTRATIVE ASSISTANT
swebster@dedham-ma.gov

**TOWN OF DEDHAM
ZONING BOARD OF APPEALS
DECISION**



Applicant: RAR-Jefferson at Dedham Station-MA, Inc.
Property Address: 1000 Presidents Way, Dedham, MA
Case #: VAR-07-16-2109
Property Owner: RAR2 Jefferson at Dedham Station, c/o Thomson Reuters,
Department 207, P.O. Box 4900, Scottsdale, AZ 85261-4900
Map/Lot, Zoning District: 163/2, RDO
Application Date: July 13, 2016
Present and Voting: J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire,
LEED AP, Jared F. Nokes, J.D.
Representative: Marella Watson, Community Manager, Jefferson at
Dedham Station
Legal Notice: To be allowed modification to Comprehensive Special
Permit to allow for installation of a dog park
Date Filed with Town Clerk: AUGUST 22, 2016

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Wednesday, August 17, 2016, in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the ZBA, J. Gregory Jacobsen, Scott M. Steeves, and E. Patrick Maguire, LEED AP. Chairman McGrail was not present for the meeting due to a work commitment. Mr. Jacobsen appointed Associate Member Jared F. Nokes, J.D., to sit in Mr. McGrail's stead.

The hearings were duly advertised for this meeting of the ZBA in accordance with the requirements of MGL Chapter 40A, Section 11. Legal ads were placed for two consecutive weeks in *The Dedham Times*. In addition, abutters within 300 feet of the property in question received notification of the hearings, and notification regarding each hearing was sent to the

neighboring towns (Boston, Needham, Canton, and Westwood). Copies of all plans referred to in this decision and a detailed record of the Zoning Board of Appeals proceedings are filed in the Dedham Planning/Zoning Department.

At 7:12 p.m., the Acting Chairman called for the hearing on the petition of RAR-Jefferson at Dedham Station-MA, to be allowed modification to Comprehensive Special Permit to allow for installation of a dog park. *Town of Dedham Zoning Board of Appeals Decision 02-01 pursuant to provisions of MGL Chapter 40B, Section 20-23, Zoning Board of Appeals Decisions 05-04*

The Applicant was represented by Marella Watson, Community Manager, Jefferson at Dedham Station. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

The subject property is known and numbered as 1000 Presidents Way, Dedham, MA, as shown on Dedham Assessors' Map 163, Lot 2. The certified plot plan indicates that the Subject Property contains 11.7 acres of land and has 1,066.64 feet of frontage on Presidents Way. According to the Dedham Zoning Map, the Subject Property is located in the Research, Development, and Office district. Currently, the property is occupied by apartment buildings. According to the records maintained by the Dedham Board of Assessors, the complex was constructed in 2005.

The applicant was approved under a comprehensive permit granted by the Zoning Board of Appeals. It was subsequently acquired by Jefferson Station, LP, and then RAR2 Jefferson at Dedham Station. They have had a number of residents approach them with the request for a dog park. The company is trying to be more considerate toward the needs of the residents and their pets. Ms. Watson presented signatures in support of the petition.

The existing dog park is an approximately 48' x 18' enclosure adjacent to the Maintenance Shop. It is surrounded by a 4' black vinyl fence with 2.5" of mesh with a top rail. The total square footage is approximately 1,500 square feet. The fence is not attached to the Maintenance Shop. The park will be ADA compliant with the proposed changes. There was no one in the audience who spoke in favor of or in opposition to the petition.

Upon motion being duly made by Scott M. Steeves and seconded by E. Patrick Maguire, LEED AP, the ZBA voted unanimously (4-0) to grant and approve such special permits as required for modification to Comprehensive Special Permit to allow for installation of a dog park. In granting said special permit, the ZBA finds that the adverse effects of the Applicants' proposal will not outweigh its beneficial impacts on the Town and neighborhood.

The Applicants are advised that, in accordance with MGL Chapter 40A, Section 11, no special permit shall take effect until a copy of this decision bearing the certification of the Dedham Town Clerk that twenty days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that an appeal has been filed within such time shall be recorded in the Norfolk County Registry of Deeds or the Land Registration Office of Norfolk County.

Date: August 17, 2016

J. Gregory Jacobsen
J. Gregory Jacobsen

Scott M. Steeves
Scott M. Steeves

E. Patrick Maguire
E. Patrick Maguire, LEED AP

Jared F. Nokes
Jared F. Nokes, J.D.

Attest, by the Administrative Assistant:

Susan N. Webster
Susan N. Webster

Materials Submitted:

- ZBA application
- Petition letter prepared by Marella Watson, Community Manager
- Petition signed by 22 residents of Jefferson at Dedham Station
- Photographs of existing conditions
- Site plan of property
- Specifications for dog park